

000733

COMMITTEE ACTION SHEET

100
01/06

COUNCIL DOCKET OF

Jan 6, 2009

☐ Supplemental ☐ Adoption ☐ Consent ☒ Unanimous Consent Rules Committee Consultant Review

R -

O -

Additional Funding for Palm Avenue Accelerated Project

☒ Reviewed ☐ Initiated By NR&C On 12/03/08 Item No. 1b

RECOMMENDATION TO:

Approve.

VOTED YEA: Frye, Faulconer, Peters

VOTED NAY:

NOT PRESENT: Atkins

CITY CLERK: Please reference the following reports on the City Council Docket:

REPORT TO THE CITY COUNCIL NO.

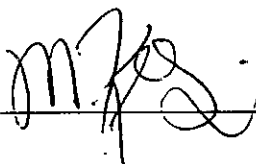
INDEPENDENT BUDGET ANALYST NO.

COUNCIL COMMITTEE CONSULTANT ANALYSIS NO.

OTHER:

Engineering and Capital Projects Department's November 26, 2008, Executive Summary sheet; "Revised" of same.

COUNCIL COMMITTEE CONSULTANT



EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: November 26, 2008 REPORT NO.:
ATTENTION: Natural Resources and Culture Committee
Agenda of December 3, 2008
ORIGINATING DEPT: Engineering and Capital Projects, Right of Way Design Division
SUBJECT: Request for Additional Funds to complete the construction of Palm
Avenue Accelerated Sewer Replacement
COUNCIL DISTRICT: 8 (Hueso)
STAFF CONTACTS: Marnell Gibson (619) 533-5213/Carl Spier (619) 533-5126

REQUESTED ACTION:

Council authorization is requested for additional funds in order to complete the construction of Palm Avenue Accelerated Sewer Replacement Project.

STAFF RECOMMENDATION:

Adopt the resolutions.

EXECUTIVE SUMMARY:

Palm Avenue Accelerated Sewer is part of the City of San Diego's continuing Annual Sewer Main Replacement Program. This project is located in the Otay Mesa/Nestor community. This project includes the replacement of approximately 1,980 linear feet of existing 10-inch vitrified clay sewer mains with 15 inch sewer mains. The streets affected by construction operations within this project are Palm Avenue from Saturn Boulevard to 16th Street as shown on the attached location map. Palm Avenue is a state highway and under the jurisdiction of CalTrans.

Additional funding is needed due to unforeseen conditions of excessive groundwater in the trenches, encountering a large electrical bank in direct conflict with the alignment, unstable soil conditions causing the trench width to be in excess of 22 feet wide in some places, and a highline system installed to discharge the excessive groundwater to a downstream manhole. These conditions required a revised alignment and night work for the duration of the project. In addition, CalTrans pavement restoration requirements are more stringent and costly exceeding the amount allocated for repaving Palm Avenue.

EQUAL OPPORTUNITY CONTRACTING:

Funding Agency: City of San Diego - Prevailing wages do not apply to this contract.

Goals: The original subcontracting goals were as follows: 10% Mandatory Subcontractor Participation Goal, 3% Advisory Participation Goal Disadvantaged Business Enterprise (DBE), 1% Advisory Participation Goal Disabled Veteran Business Enterprise (DVBE), 6% Advisory Participation Goal Other Business Enterprise (OBE)

Other:

Staff will continue to monitor adherence to the Nondiscrimination Ordinance and compliance with SCOPE on all pending and future change orders.

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$3,288,622.94. Enterprise funding of \$3,288,622.94 is available in CIP 46-206.0, Annual Allocation – Accelerated Projects, Fund 41506, Sewer, of which \$853,147 will be transferred from CIP 44-001.0, Annual Allocation – Sewer Main Replacements, Fund 41506, Sewer, for this purpose. However, \$378,509.06 of the total \$853,147 requested, was part of the previously authorized amount to expend. Therefore, we are requesting the difference of \$474,637.94 to be authorized to expend. The project cost may be reimbursed approximately 80% by current or future debt financing. No future funding is anticipated for this project.

PREVIOUS COUNCIL AND COMMITTEE ACTIONS:

Council approved this project as well as previous actions for labor and other acquisition costs related to the exchange of easements on June 7, 2004 (R-299285) and October 18, 2007 (R-303054) for a total of \$2,805,985, and September 15, 2003 (R-298365) for \$8,000. NR&C voted 3-0 to approve on June 20, 2007. The subject item will be presented to the Natural Resources and Culture committee prior to the council docket date.

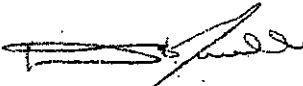
COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On October 9, 2002, Palm Avenue Accelerated Sewer project was presented to the Otay Mesa/Nestor Planning Committee. Residents and businesses were notified one month before construction began by the City's Engineering Department and again, ten (10) days before construction began by the Contractor through hand distribution of notices.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Residents and businesses in the area will encounter minor impacts during construction. After completion, residents will experience improved reliability of the sewer system.


Patti Boekamp, Director
Engineering & Capital Projects Dept.


David Jarrell
Deputy Chief of Public Works

RECEIVED
08 DEC 18 PM 4:27
CITY CLERKS OFFICE
SAN DIEGO, CA

000737

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: November 26, 2008 REPORT NO.:
 ATTENTION: Natural Resources and Culture Committee
 Agenda of December 3, 2008
 ORIGINATING DEPT: Engineering and Capital Projects, Right of Way Design Division
 SUBJECT: Request for Additional Funds to complete the construction of Palm
 Avenue Accelerated Sewer Replacement
 COUNCIL DISTRICT: 8 (Hueso)
 STAFF CONTACTS: Marnell Gibson (619) 533-5213/Carl Spier (619) 533-5126

REQUESTED ACTION:

Council authorization is requested for additional funds in order to complete the construction of Palm Avenue Accelerated Sewer Replacement Project.

STAFF RECOMMENDATION:

Adopt the resolutions.

EXECUTIVE SUMMARY:

Palm Avenue Accelerated Sewer is part of the City of San Diego's continuing Annual Sewer Main Replacement Program. This project is located in the Otay Mesa/Nestor community. This project includes the replacement of approximately 1,980 linear feet of existing 10 inch vitrified clay sewer mains with 15 inch sewer mains. The streets affected by construction operations within this project are Palm Avenue from Saturn Boulevard to 16th Street as shown on the attached location map. Palm Avenue is a state highway and under the jurisdiction of CalTrans.

Additional funding is needed due to unforeseen conditions of excessive groundwater in the trenches, encountering a large electrical bank in direct conflict with the alignment, unstable soil conditions causing the trench width to be in excess of 22 feet wide in some places, and a highline system installed to discharge the excessive groundwater to a downstream manhole. These conditions required a revised alignment and night work for the duration of the project. In addition, CalTrans pavement restoration requirements are more stringent and costly exceeding the amount allocated for repaving Palm Avenue.

EQUAL OPPORTUNITY CONTRACTING:

Funding Agency: City of San Diego – Prevailing wages do not apply to this contract.

Goals: 10% Mandatory Subcontractor Participation Goal, 3% Advisory Participation Goal Disadvantaged Business Enterprise (DBE), 1% Advisory Participation Goal Disabled Veteran Business Enterprise (DVBE), 6% Advisory Participation Goal Other Business Enterprise (OBE)

Other: Staff will continue to monitor adherence to the Nondiscrimination Ordinance and bidder's compliance with SCOPE. Failure to continue

000738

compliance with SCOPe for the duration of the contract may result in assessment of liquidated damages or withholding of retention. This language applies solely to pending and future change orders and outreach efforts are not applicable.

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$3,288,622.94. Enterprise funding of \$3,288,622.94 is available in CIP 46-206.0, Annual Allocation – Accelerated Projects, Fund 41506, Sewer, of which \$853,147 will be transferred from CIP 44-001.0, Annual Allocation – Sewer Main Replacements, Fund 41506, Sewer, for this purpose. However, \$378,509.06 of the total \$853,147 requested, was part of the previously authorized amount to expend. Therefore, we are requesting the difference of \$474,637.94 to be authorized to expend. The project cost may be reimbursed approximately 80% by current or future debt financing. No future funding is anticipated for this project.

PREVIOUS COUNCIL AND COMMITTEE ACTIONS:


Council approved this project as well as previous actions for labor and other acquisition costs related to the exchange of easements on June 7, 2004 (R-299285) and October 18, 2007 (R-303054) for a total of \$2,805,985, and September 15, 2003 (R-298365) for \$8,000. NR&C voted 3-0 to approve on June 20, 2007. The subject item will be presented to the Natural Resources and Culture committee prior to the council docket date.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On October 9, 2002, Palm Avenue Accelerated Sewer project was presented to the Otay Mesa/Nestor Planning Committee. Residents and businesses were notified one month before construction began by the City's Engineering Department and again, ten (10) days before construction began by the Contractor through hand distribution of notices.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Residents and businesses in the area will encounter minor impacts during construction. After completion, residents will experience improved reliability of the sewer system.


Patti Boekamp, Director
Engineering & Capital Projects Dept.

David Jarrell
Deputy Chief of Public Works

000739 DOCKET SUPPORTING INFORMATION
CITY OF SAN DIEGO
EQUAL OPPORTUNITY CONTRACTING PROGRAM EVALUATION

DATE: October 16, 2008

SUBJECT: Request for Additional Funding for Palm Avenue Accelerated Sewer Project

GENERAL CONTRACT INFORMATION

Recommended Contractor: Not Applicable
Amount of this Action: \$ 474,637.94
Funding Source: City of San Diego

SUBCONSULTANT PARTICIPATION

No Subconsultant participation for this action.

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

This agreement is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2702) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517)

ADDITIONAL COMMENTS

This action is to authorize fund transfers and additional expenditures for the Palm Avenue Accelerated Sewer Project.


MM-J

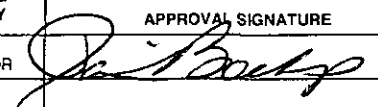
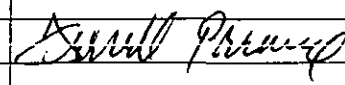
000741 : REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO				1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) 29003 100 01/06			
TO: CITY ATTORNEY		2. FROM (ORIGINATING DEPARTMENT): ENGINEERING & CAPITAL PROJECTS		3. DATE: September 23, 2008			
4. SUBJECT: Request for Additional Funding for Palm Avenue Accelerated Sewer Project							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Marnell Gibson 533-5213 MS-908A		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) CS Carl Spier 533-5126 MS-908A		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>			
8. COMPLETE FOR ACCOUNTING PURPOSES							
FUND	41506			9. ADDITIONAL INFORMATION / ESTIMATED COST:			
DEPT.	773			FUND 41506			
ORGANIZATION	960			Engineering:	\$ 686,386.74		
OBJECT ACCOUNT	4279			Construction:	\$ 1,753,537.20		
JOB ORDER	440010			Contingency:	\$ 838,199.00		
C.I.P. NUMBER	44-001.0			Land Acquisition:	\$ 10,500.00		
AMOUNT	\$853,147			Total:	\$ 3,288,622.94		
				Less Prev. Authorized:	\$ 2,813,985.00		
				Total Request	\$ 474,637.94		
10. ROUTING AND APPROVALS							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	DEPT. DIRECTOR	<i>[Signature]</i>	10/14/08	8	C.O.O.	<i>[Signature]</i>	11/18/08
2	MWWWD	APPROVAL		9	CITY ATTORNEY	<i>[Signature]</i>	12/1/08
3	E.A.S.	SIGNATURES		11	ORIG. DEPT.	<i>[Signature]</i>	12/3/08
4	E.O.C.P.	ON FILE					
5	DOCKET LIAISON	<i>[Signature]</i>	11/17/08				
6	FM-CIP/DM	<i>[Signature]</i>	11/14/08		DOCKET COORD:	COUNCIL LIAISON	<i>[Signature]</i>
7	COMPTROLLER	<i>[Signature]</i>	11/13/08		COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
8	DEPUTY CHIEF	<i>[Signature]</i>	11/18/08		<input type="checkbox"/> REFER TO:	COUNCIL DATE: 1/6/09	
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
1. Authorizing the Comptroller to transfer appropriations in the amount of \$853,147 from Fund 41506, Sewer, CIP 44-001.0, Annual Allocation – Sewer Replacements, to Fund 41506, Sewer, CIP 46-206.0, Annual Allocation – Accelerated Projects for the purpose of funding pending and future change orders; and (Please See Continuation Page)							
11A. STAFF RECOMMENDATIONS: Adopt the Resolutions.							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)							
COUNCIL DISTRICT(S):		8 (Hueso)					
COMMUNITY AREA(S):		Otay Mesa-Nestor					
ENVIRONMENTAL IMPACT:		This activity is statutorily exempt from CEQA pursuant to State CEQA Guidelines, Section 15282(k).					
HOUSING IMPACT:		None.					
ATTACHMENTS:		Location Map, Project Cost Estimate.					
CITY CLERK INSTRUCTIONS:		Upon Council approval, please forward one copy of the 1472 and Resolutions to Joanne Ferrer, MS-908A, and one copy to Robert Barreras, MS-901A.					

SECTION 11 – PREPARATION OF: RESOLUTIONS, ORDINANCES, ETC. (CONTINUED):

2. Authorizing the additional expenditure of \$474,637.94 from CIP 46-206.0, Annual Allocation – Accelerated Projects, Fund 41506, Sewer, for the construction and other related costs of Palm Avenue Accelerated Sewer project, contingent upon the City Comptroller furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and
3. Authorizing an additional \$2,500 in property related costs for CIP 46-206.0, Annual Allocation – Accelerated Projects, Fund 41506, Sewer.

000743		REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO		1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) 100 01/06			
TO: CITY ATTORNEY		2. FROM (ORIGINATING DEPARTMENT): ENGINEERING & CAPITAL PROJECTS		3. DATE: September 23, 2008			
4. SUBJECT: Request for Additional Funding for Palm Avenue Accelerated Sewer Project							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Marnell Gibson 533-5213 MS-908A		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) CS Carl Spier 533-5126 MS-908A		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>			
8. COMPLETE FOR ACCOUNTING PURPOSES							
FUND	41506			9. ADDITIONAL INFORMATION / ESTIMATED COST: FUND 41506 Engineering: \$ 686,386.74 Construction: \$ 1,753,537.20 Contingency: \$ 838,199.00 Land Acquisition: \$ 10,500.00 Total: \$ 3,288,622.94 Less Prev. Authorized: \$ 2,813,985.00 Total Request \$ 474,637.94			
DEPT.	773						
ORGANIZATION	960						
OBJECT ACCOUNT	4279						
JOB ORDER	440010						
C.I.P. NUMBER	44-001.0						
AMOUNT	\$853,147						
10. ROUTING AND APPROVALS							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	DEPT. DIRECTOR		10/14/08	8	C.O.O.		
2	MWWD		10/31/08	9	CITY ATTORNEY		
3	E.A.S.			11	ORIG. DEPT.		
4	E.O.C.P.						
5	DOCKET LIAISON						
6	FM-CIP/DM			<input checked="" type="checkbox"/>	DOCKET COORD: _____ COUNCIL LIAISON _____		
7	COMPTROLLER				COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: _____		
8	DEPUTY CHIEF						
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
1. Authorizing the Comptroller to transfer appropriations in the amount of \$853,147 from Fund 41506, Sewer, CIP 44-001.0, Annual Allocation – Sewer Replacements, to Fund 41506, Sewer, CIP 46-206.0, Annual Allocation – Accelerated Projects for the purpose of funding pending and future change orders; and <div style="text-align: center;">(Please See Continuation Page)</div>							
11A. STAFF RECOMMENDATIONS: <div style="text-align: center;">Adopt the Resolutions.</div>							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.) <u>COUNCIL DISTRICT(S):</u> 8 (Hueso) <u>COMMUNITY AREA(S):</u> Otay Mesa-Nestor <u>ENVIRONMENTAL IMPACT:</u> This activity is statutorily exempt from CEQA pursuant to State CEQA Guidelines, Section 15282(k). <u>HOUSING IMPACT:</u> None. <u>ATTACHMENTS:</u> Location Map, Project Cost Estimate. <u>CITY CLERK INSTRUCTIONS:</u> Upon Council approval, please forward one copy of the 1472 and Resolutions to Joanne Ferrer, MS-908A, and one copy to Robert Barreras, MS-901A.							

000744		REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO			1. CERTIFICATE NUMBER/ (FOR AUDITOR'S USE) 100 01/06	
TO: CITY ATTORNEY		2. FROM (ORIGINATING DEPARTMENT): ENGINEERING & CAPITAL PROJECTS			3. DATE: September 23, 2008	
4. SUBJECT: Request for Additional Funding for Palm Avenue Accelerated Sewer Project						
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Marnell Gibson 533-5213 MS-908A		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) CS Carl Spier 533-5126, MS-908A		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>		
8. COMPLETE FOR ACCOUNTING PURPOSES						
FUND	41506				9. ADDITIONAL INFORMATION / ESTIMATED COST:	
DEPT.	773				FUND 41506	
ORGANIZATION	960				Engineering:	\$ 686,386.74
OBJECT ACCOUNT	4279				Construction:	\$ 1,753,537.20
JOB ORDER	440010				Contingency:	\$ 838,199.00
C.I.P. NUMBER	44-001.0				Land Acquisition:	\$ 10,500.00
AMOUNT	\$853,147				Total:	\$ 3,288,622.94
					Less Prev. Authorized:	\$ 2,813,985.00
					Total Request	\$ 474,637.94
10. ROUTING AND APPROVALS						
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	DATE SIGNED
1	DEPT. DIRECTOR	<i>[Signature]</i>	10/14/08	8	C.O.O.	
2	MWWD			9	CITY ATTORNEY	
3	E.A.S.	<i>[Signature]</i>	10/17/08	11	ORIG. DEPT.	
4	E.O.C.P.					
5	DOCKET LIAISON					
6	FM-CIP/DM					
7	COMPTROLLER					
8	DEPUTY CHIEF					
				DOCKET COORD: _____ COUNCIL LIAISON: _____		
				COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/>		
				REFER TO: _____ COUNCIL DATE: _____		
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)						
1. Authorizing the Comptroller to transfer appropriations in the amount of \$853,147 from Fund 41506, Sewer, CIP 44-001.0, Annual Allocation – Sewer Replacements, to Fund 41506, Sewer, CIP 46-206.0, Annual Allocation – Accelerated Projects for the purpose of funding pending and future change orders; and (Please See Continuation Page)						
11A. STAFF RECOMMENDATIONS: Adopt the Resolutions.						
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)						
<u>COUNCIL DISTRICT(S):</u> 8 (Hueso)						
<u>COMMUNITY AREA(S):</u> Otay Mesa-Nestor						
<u>ENVIRONMENTAL IMPACT:</u> This activity is statutorily exempt from CEQA pursuant to State CEQA Guidelines, Section 15282(k).						
<u>HOUSING IMPACT:</u> None.						
<u>ATTACHMENTS:</u> Location Map, Project Cost Estimate.						
<u>CITY CLERK INSTRUCTIONS:</u> Upon Council approval, please forward one copy of the 1472 and Resolutions to Joanne Ferrer, MS-908A, and one copy to Robert Barreras, MS-901A.						

000745		REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO		1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) 100 01/06			
TO: CITY ATTORNEY		2. FROM (ORIGINATING DEPARTMENT): ENGINEERING & CAPITAL PROJECTS		3. DATE: September 23, 2008			
4. SUBJECT: <p style="text-align: center;">Request for Additional Funding for Palm Avenue Accelerated Sewer Project</p>							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Marnell Gibson 533-5213 MS-908A		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) CS Carl Spier 533-5126 MS-908A		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>			
8. COMPLETE FOR ACCOUNTING PURPOSES							
FUND	41506			9. ADDITIONAL INFORMATION / ESTIMATED COST: <div style="text-align: right;"> FUND 41506 Engineering: \$ 686,386.74 Construction: \$ 1,753,537.20 Contingency: \$ 838,199.00 Land Acquisition: \$ 10,500.00 Total: \$ 3,288,622.94 Less Prev. Authorized: \$ 2,813,985.00 Total Request \$ 474,637.94 </div>			
DEPT.	773						
ORGANIZATION	960						
OBJECT ACCOUNT	4279						
JOB ORDER	440010						
C.I.P. NUMBER	44-001.0						
AMOUNT	\$853,147						
10. ROUTING AND APPROVALS							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	DEPT. DIRECTOR		10/14/08	8	C.O.O.		
2	MWWD			9	CITY ATTORNEY		
3	E.A.S.			11	ORIG. DEPT.		
4	E.O.C.P.		10/14/08				
5	DOCKET LIAISON						
6	FM-CIP/DM						
7	COMPTROLLER						
8	DEPUTY CHIEF						
				DOCKET COORD: _____ COUNCIL LIAISON: _____ <input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: _____			
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
1. Authorizing the Comptroller to transfer appropriations in the amount of \$853,147 from Fund 41506, Sewer, CIP 44-001.0, Annual Allocation – Sewer Replacements, to Fund 41506, Sewer, CIP 46-206.0, Annual Allocation – Accelerated Projects for the purpose of funding pending and future change orders; and. <p style="text-align: center;">(Please See Continuation Page)</p>							
11A. STAFF RECOMMENDATIONS: <p style="text-align: center;">Adopt the Resolutions.</p>							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.) <u>COUNCIL DISTRICT(S):</u> 8 (Hueso) <u>COMMUNITY AREA(S):</u> Otay Mesa-Nestor <u>ENVIRONMENTAL IMPACT:</u> This activity is statutorily exempt from CEQA pursuant to State CEQA Guidelines, Section 15282(k). <u>HOUSING IMPACT:</u> None. <u>ATTACHMENTS:</u> Location Map, Project Cost Estimate. <u>CITY CLERK INSTRUCTIONS:</u> Upon Council approval, please forward one copy of the 1472 and Resolutions to Joanne Ferrer, MS-908A, and one copy to Robert Barreras, MS-901A.							

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: September 23, 2008
ATTENTION: Council President and City Council
ORIGINATING DEPT: Engineering and Capital Projects, Right of Way Design Division
SUBJECT: Request for Additional Funds to complete the construction of Palm Avenue Accelerated Sewer Replacement
COUNCIL DISTRICT: 8 (Hueso)
STAFF CONTACTS: Marnell Gibson (619) 533-5213/Carl Spier (619) 533-5126

REQUESTED ACTION:

Council authorization is requested for additional funds in order to complete the construction of Palm Avenue Accelerated Sewer Replacement Project.

STAFF RECOMMENDATION:

Adopt the resolutions.

EXECUTIVE SUMMARY:

Palm Avenue Accelerated Sewer is part of the City of San Diego's continuing Annual Sewer Main Replacement Program. This project is located in the Otay Mesa/Nestor community. The contractor is Cass Construction Inc. This project includes the replacement of approximately 1,980 linear feet of existing 10 inch vitrified clay sewer mains with 15 inch sewer mains. The streets affected by construction operations within this project are Palm Avenue from Saturn Boulevard to 16th Street as shown on the attached location map. Palm Avenue is a state highway and under the jurisdiction of CalTrans.

Additional funding is needed due to unforeseen conditions of excessive groundwater in the trenches, encountering a large electrical bank in direct conflict with the alignment, unstable soil conditions causing the trench width to be in excess of 22 feet wide in some places, and a highline system installed to discharge the excessive groundwater to a downstream manhole. These conditions required a revised alignment and night work for the duration of the project. In addition, CalTrans pavement restoration requirements are more stringent and costly exceeding the amount allocated for repaving Palm Avenue.

EQUAL OPPORTUNITY CONTRACTING:

Funding Agency: City of San Diego – Prevailing wages do not apply to this contract.

Goals: The original subcontracting goals were as follows: 10% Mandatory Subcontractor Participation Goal, 3% Advisory Participation Goal Disadvantaged Business Enterprise (DBE), 1% Advisory Participation Goal Disabled Veteran Business Enterprise (DVBE), 6% Advisory Participation Goal Other Business Enterprise (OBE)

000748

Other: Staff will continue to monitor adherence to the Nondiscrimination Ordinance and compliance with SCOPE on all pending and future change orders.

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$3,288,622.94. Enterprise funding of \$3,288,622.94 is available in CIP 46-206.0, Annual Allocation – Accelerated Projects, Fund 41506, Sewer, of which \$853,147 will be transferred from CIP 44-001.0, Annual Allocation – Sewer Main Replacements, Fund 41506, Sewer, for this purpose. However, \$378,509.06 of the total \$853,147 requested was part of the previously authorized amount to expend. Therefore, we are requesting the difference of \$474,637.94 to be authorized to expend. The project cost may be reimbursed approximately 80% by current or future debt financing. No future funding is anticipated for this project.

PREVIOUS COUNCIL AND COMMITTEE ACTIONS:

Council approved this project as well as previous actions for labor and other acquisition costs related to the exchange of easements on June 7, 2004 (R-299285) and October 18, 2007 (R-303054) for a total of \$2,805,985, and September 15, 2003 (R-298365) for \$8,000. NR&C voted 3-0 to approve on June 20, 2007. The Committee on Natural Resources and Culture on December 3, 2008, consent motion by Councilmember Faulconer, second by Council President Peters. Vote to approve 3-0.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On October 9, 2002, Palm Avenue Accelerated Sewer project was presented to the Otay Mesa/Nestor Planning Committee. Residents and businesses were notified one month before construction began by the City's Engineering Department and again, ten (10) days before construction began by the Contractor through hand distribution of notices.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Residents and businesses in the area will encounter minor impacts during construction. After completion, residents will experience improved reliability of the sewer system.


Patti Boekamp, Director
Engineering & Capital Projects Dept.


David Jarrell
Deputy Chief of Public Works

000749

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2900397
 ORIGINATING
 DEPT. NO.: 773

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$853,147.00 Fund: 41506

Purpose: Authorizing the transfer of funds from AA CIP 440010, Sewer Main Replacements to AA CIP 462060, Accelerated Projects for Palm Avenue Accelerated Sewer Project.

Date: November 18, 2008 By: Van Nguyen

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	41506	773	960	4278	440010				\$853,147.00
TOTAL AMOUNT										\$853,147.00

FUND OVERRIDE ☐

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: November 18, 2008 By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

000751

DETERMINATION OF

ENVIRONMENTAL EXEMPTION

Pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines

Agency: CITY OF SAN DIEGO

Project No.: 6289
JO: 177771

Date: April 24, 2007

Action/Permit(s): City Council Approval of the Palm Avenue Accelerated Sewer Project

Description of Activity: The proposed project would replace and improve the existing sewer system on Palm Avenue between Saturn Blvd. and 16th St. The project consists of the installation of 1,983 linear feet of 15-inch pipeline, and the replacement of 8 manholes. A portion of the work is within the Caltrans right-of-way, for which a permit has been obtained, and the remainder is located in an adjacent City easement.

Location of Activity: Palm Avenue (State Highway 75), from the 16th Street intersection to the Saturn Boulevard intersection, in the Caltrans right-of-way and an adjacent City easement, in the Otay Mesa/Nestor community planning area, San Diego, 92130, in the City and County of San Diego. Applicant: City of San Diego Engineering and Capital Project Department, 600 B Street, Suite 800, Mail Station No. 908A, San Diego, CA, 92101.

(CHECK BOXES BELOW)

1. ☐ This activity is **EXEMPT FROM CEQA** pursuant to:
- ☐ Section 15061(b) (3) of the State CEQA Guidelines (the activity is not a project as defined in Section 15378).
2. ☒ This project is **EXEMPT FROM CEQA** pursuant to State CEQA Guidelines Section checked below:

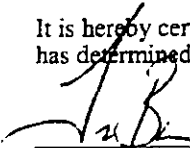
**ARTICLE 19 of GUIDELINES
CATEGORICAL EXEMPTIONS**
(Incomplete list)

Section	Short Name
<input type="checkbox"/> 15301(k)	Existing Facilities
<input type="checkbox"/> 15302	Replacement or Reconstruction
<input type="checkbox"/> 15303	New Construction or Conversion of Small Structures
<input type="checkbox"/> 15304	Minor Alterations to Land
<input type="checkbox"/> 15305	Minor Alteration in Land Use
<input type="checkbox"/> 15306	Information Collection
<input type="checkbox"/> 15311	Accessory Structures
<input type="checkbox"/> 15312	Surplus Government Property Sales
<input type="checkbox"/> 15315	Minor Land Divisions
<input type="checkbox"/> 15317	Open Space Contracts or Easements
<input type="checkbox"/> 15319	Annexation of Existing Facilities and Lots for Exempt Facilities
<input type="checkbox"/> 15325	Transfer of Ownership of Interest in Land to Preserve Open Space
<input type="checkbox"/> Other	

**ARTICLE 18 of GUIDELINES
STATUTORY EXEMPTIONS**
(Incomplete list)

Section	Short Name
<input type="checkbox"/> 15261	Ongoing Project
<input type="checkbox"/> 15262	Feasibility and Planning Studies
<input type="checkbox"/> 15265	Adoption of Coastal Plans and Programs
<input type="checkbox"/> 15268	Ministerial Projects
<input type="checkbox"/> 15269	Emergency Projects
<input checked="" type="checkbox"/> Other	
15282 (k)	<u>Statutory Exemption</u>

It is hereby certified that the City of San Diego
has determined the above activity to be exempt:

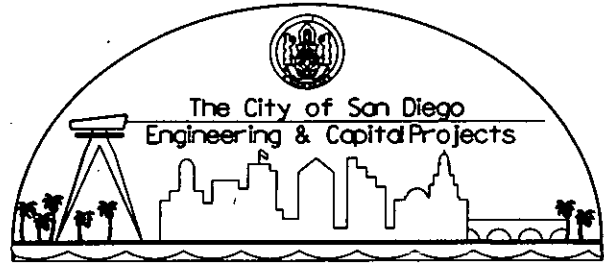
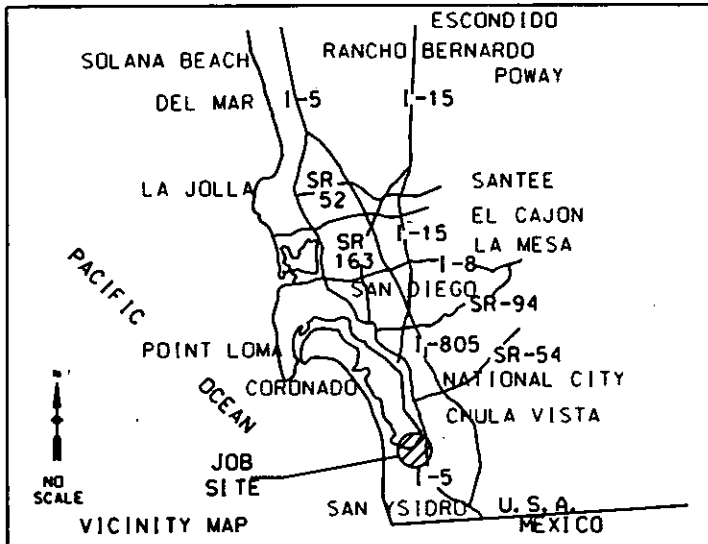

Terri Bumgardner, Senior Planner
Environmental Analysis Section

Distribution:

Exemption file
Morris Dye, Development Project Manager
EAS Reviewer's File

Analyst: Mirrasoul

000753

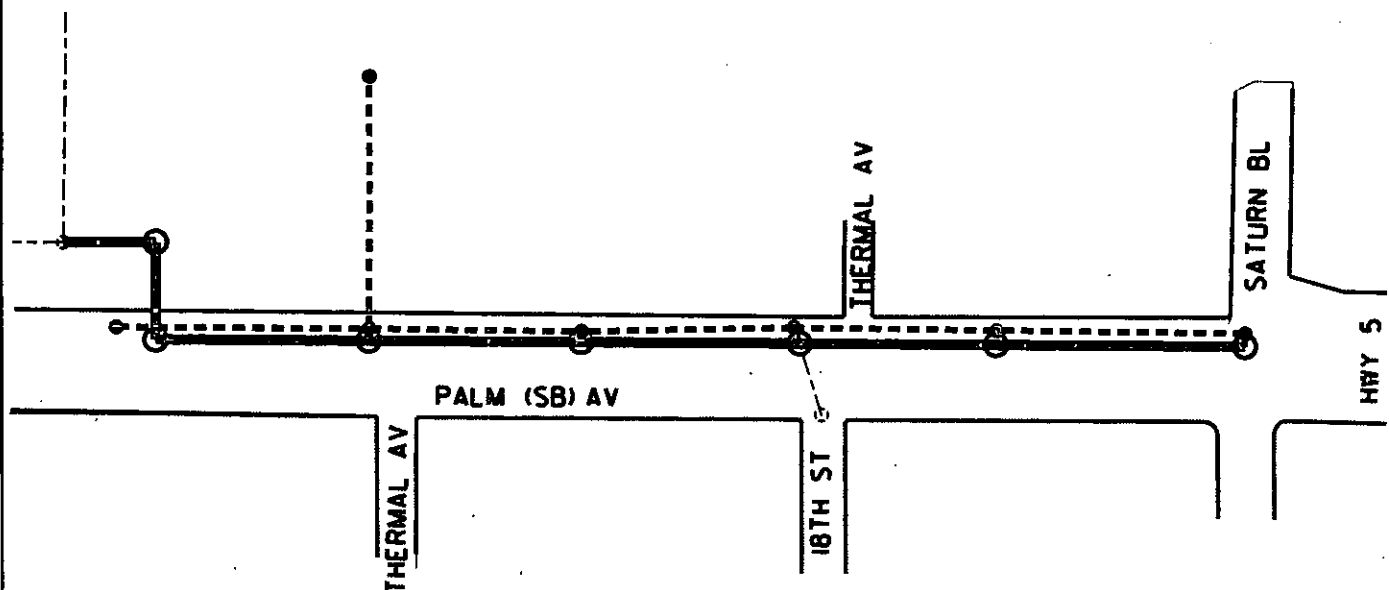


PROJECT ENGINEER
BONITA WEHRHAN
(619) 533-5162

PROJECT MANAGER
HUNG HUYNH
(619) 235-1979

SENIOR ENGINEER
CARL SPIER
(619) 533-5126

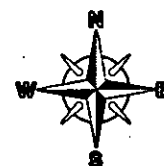
PALM AVE ACCELERATED SEWER PROJECT LOCATION MAP



LEGEND:

—○— PROPOSED MAINS & MANHOLES

- - -●- - - EXISTING MAINS & MANHOLES TO BE ABANDONED



NO
SCALE

6-26-07

000755

PROJECT COST ESTIMATE

Palm Avenue Accelerated Sewer Replacement	Agreement	Prepared by:	Bonita Wehrhan
	Advertise	Date:	September 18, 2008
	Additional Funding	W.O. No.	177770
(Project Title)			

ACTIVITY		CIP NO. OR OTHER SOURCE OF FUNDS			TOTALS	% OF E
	% OF E	Current 46-610.8	This Request 46-610.8	TOTAL		
A. Planning/Design/Administration						
4114 Preliminary Engineering	10.07%	329,947.61	0.00	329,947.61		
4115 Outside Engir	1.90%	62,386.74	0.00	62,386.74		
4116 Construction Engineering	8.97%	174,052.39	120,000.00	294,052.39		
4118 Engineering Design	0.00%	0.00	0.00	0.00		
Total Planning/Design/Administration		566,386.74	120,000.00	686,386.74	686,386.74	21%
B. Construction						
4220 Prime Construction Contract	53.49%	1,753,537.20	0.00	1,753,537.20		
Total Construction		1,753,537.20	0.00	1,753,537.20	1,753,537.20	53%
C. Equipment and Furnishings						
4922 Construction Related	0.00%			0.00		
Total Equipment and Furnishings		0.00	0.00	0.00	0.00	0%
D. Contingencies						
4905 Contingencies	25.57%	107,552.00	730,647.00	838,199.00		
4909 Pooled Contingencies	0.00%			0.00		
Total Contingencies		107,552.00	730,647.00	838,199.00	838,199.00	26%
SUBTOTAL		2,427,475.94	850,647.00	3,278,122.94	3,278,122.94	100%
E. Equipment & Furnishings						
4922 Equipment & Furnishings				0.00	0.00	
F. Land Aquisition						
4638 Land Acquisition		8,000.00	2,500.00	10,500.00	10,500.00	
G. Other						
4280 Oth Non-Personnel Au		378,509.06	-378,509.06	0.00	0.00	
4282 Oth Non-Personnel Exp		-378,509.06	378,509.06	0.00	0.00	
TOTAL PROJECT COST		\$2,435,475.94	\$853,147.00	\$3,288,622.94	\$3,288,622.94	

(When Applicable)		
SAVINGS BY USE OF CITY FORCES		
	City Forces	Contract
Labor	0	0
Material	0	0
Equip.	0	0
Profit	0	0
TOTAL	0	0

Prev. Auth. Res. #	R-299285	(Not awarded)
Prev. Auth. Res. #	R-298365	8,000.00
Prev. Auth. Res. #	R-303054	2,805,985.00
Prev. Auth. Res. #		
Prev. Auth. Res. #		
Prev. Auth. Res. #		
Total Presently Authorized		2,813,985.00
ADDITIONAL AUTH. REQUIRED		\$474,637.94

FUND:	41506		
CIP/Sub-CIP NO.:	462060/466108		
Revised	3,288,622.94		
Current	2,435,475.94		
This Request	\$853,147.00		\$474,637.94

COMMENTS: Additional funding of \$853,147 is requested due to unforeseen conditions during construction and future change orders.

000757

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION AUTHORIZING THE TRANSFER OF
FUNDS, AND ADDITIONAL EXPENDITURE OF FUNDS
REGARDING PALM AVENUE ACCELERATED SEWER

WHEREAS, Palm Avenue Accelerated Sewer [Project] is part of the City of San Diego's continuing Annual Sewer Main Replacement Program;

WHEREAS, this Project is located in the Otay Mesa/Nestor community and includes the replacement of approximately 1,980 linear feet of existing 10 inch vitrified clay sewer mains with 15 inch sewer mains;

WHEREAS, on September 15, 2003, the Council of the City of San Diego [the Council] approved Resolution R-298365 for an expenditure in the amount of \$8,000 for acquisition costs related to the exchange of easements related to this Project, and on June 7, 2004, the Council approved Resolution 299285 for an expenditure in the amount of \$1,895,000 for the purpose of providing funds for the Project and related costs. The bids exceeded the engineer's estimate and were rejected, and due to lack of funding, the Project did not move forward;

WHEREAS, on October 9, 2007, the Council approved Resolution R-303054 for an expenditure in the amount of \$2,805,985 for the purpose of providing funds for the Project and related costs, and the transfer of \$2,369,485 from Sewer Fund 41506, CIP 46-194-0, Annual Allocation – Pump Station Restoration, and \$100,000 from Sewer Fund 41506, CIP 46-194-0, Annual Allocation – Trunk Sewer Rehabilitations to Sewer Fund 41506, CIP 46-206.0 Annual Allocation - Accelerated Projects;

WHEREAS, additional funding is needed due to unforeseen conditions of excessive groundwater in the trenches, encountering a large electrical bank in direct conflict with the alignment, unstable soil conditions causing the trench width to be in excess of twenty-two feet in some places, a highline system installed to discharge the excessive groundwater to a downstream manhole which requires a revised alignment and night work for the duration of the project, and Cal Trans pavement restoration requirements that are now more stringent and costly; NOW, THEREFORE,

BE IT RESOLVED, that the City Auditor and Comptroller is authorized to transfer \$853,147 from Sewer Fund 41506, CIP 44-001.0, Annual Allocation – Sewer Main Replacements to Sewer Fund 41506, CIP 46-206.0 Annual Allocation-Accelerated Projects for the purpose of funding pending and future change orders.

BE IT FURTHER RESOLVED, that the additional expenditure of an amount not to exceed \$474,637.94 from Sewer Fund 41506, CIP No. 46-206.0, Annual Allocation – Accelerated Projects is authorized for the construction, contingency, and Project related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

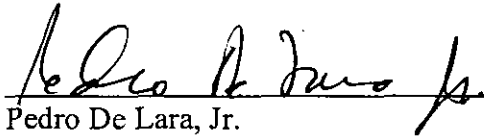
BE IT FURTHER RESOLVED, that the expenditure of an additional \$2,500 is authorized in property related cost from Sewer Fund 41506, CIP 46-206.0, Annual Allocation-Accelerated Projects.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

000759

BE IT FURTHER RESOLVED, that this activity is statutorily exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines section 15282 (k) as the repair and replacement of an existing pipeline less than one mile in length.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Pedro De Lara, Jr.
Deputy City Attorney

PDJ:js
12/01/2008
Or.Dept: E&CP
R-2009-715

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

101
10/9Joanna
D.
438ARESOLUTION NUMBER R- 303054DATE OF FINAL PASSAGE OCT 18 2007RESOLUTION APPROVING PLANS AND SPECIFICATIONS,
AUTHORIZING TRANSFERRING AND EXPENDITURE OF
FUNDS, AND AWARDING OF CONTRACT REGARDING
PALM AVENUE ACCELERATED SEWER

WHEREAS, Palm Avenue Accelerated Sewer [Project] is part of the City of San Diego's continuing Annual sewer Main Replacement Program; and

WHEREAS, this Project is located in the Otay Mesa/Nestor community and includes the replacement of approximately 1,980 linear feet of existing 10 inch vitrified clay sewer mains with 15 inch sewer mains; and

WHEREAS, on September 15, 2003, the Council of the City of San Diego [the Council] approved Resolution R-298365 for an expenditure in the amount of \$8,000 for acquisition costs related to the exchange of easements related to this Project, and on June 7, 2004, the Council approved Resolution 299285 for an expenditure in the amount of \$1,895,000 for the purpose of providing funds for the Project and related costs. The bids exceeded the engineer's estimate and were rejected, and due to lack of funding, the Project did not move forward; NOW, THEREFORE,

BE IT RESOLVED, that the plans and specifications for the construction of Palm Avenue Accelerated Sewer Replacement Project, filed in the office of the City Clerk as Document No. W.O. 177771, are approved.

BE IT FURTHER RESOLVED, that after advertising for bids in accordance with law, the Mayor or his designee is authorized to award the Project contract to the lowest responsible and reliable bidder for the Project, provided that the City Auditor and Comptroller first furnishes

one or more certificates demonstrating that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

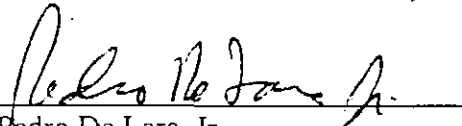
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to transfer \$2,369,485, from Sewer Fund 41506, CIP 46-106.0, Annual Allocation – Pump Station Restoration and \$100,000 from CIP No. 46-194.0, Annual Allocation – Trunk Sewer Rehabilitations to Sewer Fund 41506, CIP 46-206.0 Annual Allocation – Accelerated Projects.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$2,805,985 from Sewer Fund 41506, CIP No. 46-206.0, Annual Allocation – Accelerated Projects is authorized for the construction, contingency, and Project related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that this activity is statutorily exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines section 15282 (k) as the repair and replacement of an existing pipeline less than one mile in length.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Pedro De Lara, Jr.
Deputy City Attorney

PDJ:js
06/25/2007
Or.Dept: E&CP
R-2007-1282

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT - 9 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10-18-07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

RESOLUTION NUMBER R- 299285ADOPTED ON JUN 07 2004

A RESOLUTION APPROVING PLANS AND
SPECIFICATIONS; AUTHORIZING ESTABLISHMENT OF
PHASE FUNDING AND AWARD OF PUBLIC WORKS
CONTRACT; AND TAKING RELATED ACTIONS.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the plans and specifications for the construction of Palm Avenue Accelerated Sewer [Project], filed in the office of the City Clerk as Document No. W.D. 17771, are approved.
2. That, after advertising for bids in accordance with law, the City Manager is authorized to establish contract funding phases, to award a contract to, and to execute a contract with, the lowest responsible and reliable bidder for the Project, contingent upon: (a) City Council approval of the expenditure of any additional Project funding that may become necessary as a result of the bid opening for the Project; (b) the City Auditor and Comptroller first furnishing one or more certificates certifying that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer; and (c) the passage of the FY05 Capital Improvement Program Budget and the FY05 Appropriations Ordinance.
3. That the expenditure of an amount not to exceed \$1,895,000 from Sewer Fund 41506, CIP No. 46-206.0, Annual Allocation – Emergency Construction, is authorized solely and exclusively for the purpose of providing funds for the Project and related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit

000766

with the City Treasurer, and contingent upon the passage of the FY05 Capital Improvement Program Budget and the FY05 Appropriations Ordinance.

4. That the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By Eric A. Swenson
Eric A. Swenson
Deputy City Attorney

EAS:js
05/21/2004
Or.Dept: E&CP
Bid No.: K041894C
R-2004-1279

RESOLUTION NUMBER R- 298265ADOPTED ON SEPT 15, 2003

WHEREAS, the Palm Avenue Accelerated Sewer Project will upgrade a section of deteriorated sewer main between Saturn Boulevard and 16th Street in the community of Nestor. As part of the construction project, a portion of the existing sewer main crossing private property at 1674 Palm Avenue must be realigned to connect at a new location on the existing trunk sewer line serving Sewer Pump Station 9A. This resolution seeks authorization to exchange easements required to realign the pipeline; and

WHEREAS, the City Manager has certified that the values of the property rights to be exchanged are of comparable size and value so there will be no cost to either party for the easement areas; and

WHEREAS, the easement to be acquired will serve the same use and purpose as the easement to be quitclaimed by the City; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

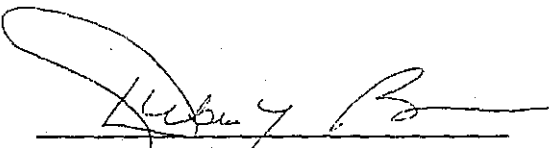
1. That the City Manager, or his designee, is authorized to execute quitclaim deeds and accept easements deeds, as necessary to complete the exchange of sewer easements depicted on City Engineers Drawing 20006-B, required for the realignment and construction of the Palm Avenue Accelerated Sewer Project.

000763

2. That the expenditure of an amount not to exceed \$8,000 from Sewer Fund 41506, CIP No. 46-206.0, Annual Allocation - Emergency Construction, for labor and other acquisition costs related to the exchange of easements for the Palm Avenue Accelerated Sewer Project is authorized.

APPROVED: CASEY GWINN, City Attorney

By


Debra J. Bevier
Deputy City Attorney

DJB:mm

08/28/03

Or.Dept:READ

R-2004-262

Form=exr.frm